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London  
NW6 3PY

Application Ref: **2015/1771/P**  
Please ask for: **Tendai Mutasa**  
Telephone: 020 7974 **2353**

1 July 2015

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**71 Dartmouth Park Road**  
**London**  
**NW5 1SL**

Proposal:  
Erection of side infill extension with skylight, increase height of ground level (entrance passage), reposition and enlarge side window, enlargement of shed and conversion of enlarged shed to habitable accommodation ancillary to ground floor flat.  
Drawing Nos: Site Location Plan, A100, A102, A103, A110, A111, A111B, A200, A202, A203, A210, A211, A212, A213, Design and Access Statement dated March 2015 and Arboricultural Impact Assessment prepared by Trevor Heaps dated 24 March 2015.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).



- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, A100, A102, A103, A110, A111, A111B, A200, A202, A203, A210, A211, A212, A213, Design and Access Statement dated March 2015 and Arboricultural Impact Assessment prepared by Trevor Heaps dated 24 March 2015.

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 4 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 5 The new outbuilding hereby approved shall only be used for purposes incidental to the residential use of the ground floor flat at 71a Dartmouth Road and shall not be used as a separate independent Class C3 dwelling.

Reason: To ensure that the future occupation of the outbuilding does not adversely affect the amenity of adjoining residential premises/immediate area by reason of noise, traffic congestion and excessive on-street parking and is not used for unauthorised purposes, in accordance with policies CS5 (Managing the impact of growth and development), CS8 (Promoting a successful and inclusive Camden economy) and CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policies DP19 (Managing the impact of parking), DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies

Informative(s):

1 Reasons for granting permission.

The proposed side extension, storage area and changes to the front gate are considered acceptable. The garden studio including a bathroom is also considered acceptable given its purpose will be ancillary to the flat and it will replace the existing shed of almost similar dimensions.

The proposed single storey side extension which would replace an existing storage cupboard and be 7m deep and 1.6m wide with a sloped roof and skylight has been sympathetically designed hence is considered acceptable. It will replace the existing storage area and accommodate additional living space. Given its single storey nature with the sloped roof, it is not considered the side extension would be harmful to neighbours amenity. The proposal also includes a small storage area to be created under rear garden stairs, the storage area would not cause any harm in terms of amenity or visual appearance. Both the extension and the new storage area are considered acceptable additions would sit comfortably with the host property and would preserve the character and appearance of the Dartmouth Park Conservation Area.

It is proposed to replace the existing 2.5m by 3.9m rear garden shed with an outbuilding/garden studio including a bathroom and measuring 3.1m by 5.6m and 2.8m high. The studio would be orientated east to west along the rear boundary fence rather than north to south as the existing shed is. This addition is considered acceptable as similar sheds are a feature within the back gardens of properties in the area. The inclusion of a bathroom will also be acceptable as a condition can be imposed which will restrict use of the studio as a separate dwelling and its use shall be ancillary to the main flat. Following advice from planning officers the studio has been reduced slightly in size to be of a more modest scale, subservient to the flat.

An arborist report has been submitted with the application outlining any potential impacts and mitigation measures for the three trees in the rear garden. A condition will be imposed to any grant of planning permission and none of these trees will be felled during construction.

It is considered that alterations to the side gate and access would be acceptable as there is a mixture of different gates in side elevations along the street, and the changes are sympathetic to the main property. The side entrance gate will be amended to improve safety down the access steps by increasing the depth and as a result altering the height of the black steel gate.

Two objections were received prior to making this decision raising issues regarding third party rights of way. These have been summarised in a separate consultation report. The planning history of the site and relevant appeal decisions were taken into account when coming to this decision.

Considerable importance and weight has been attached and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under section 72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 7.4, 7.6 and 7.8 of The London Plan March 2015, consolidated with alterations since 2011; and paragraphs 14, 17, 56 -66 and 126-141 of the National Planning Policy Framework.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 4 You are advised that the outbuilding hereby approved should be constructed in such a manner that it will not be susceptible to future damage by protected trees. The Council is unlikely to consider favourably any application to prune or fell protected trees because of their impact on the structure hereby approved. You are further advised that the Department for Communities and Local Government the Regions guidance "Tree Preservation Orders - A Guide to the Law and Good Practice" states that no compensation is payable to a person for loss or damage which was (i) reasonably foreseeable by that person, and (ii) attributable to that person's failure to take reasonable steps to avert the loss or damage or mitigate its extent

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ed Watson', written in a cursive style.

Ed Watson  
Director of Culture & Environment